IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 14916 of 2006(A)

IA 833/2006 IN OS.502/1994 of I ADDL.SUB COURT, THRISSUR

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PETITIONER:

SHEEBA, W/O. KALLARAKKAL RAPPAI,
MISSION QUARTERS, CHEMBUKAVU, THRISSUR.

BY ADV. SRI.JIJO PAUL

RESPONDENTS:

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1. MAR APREM KURI COMPANY LTD.,
M.O.ROAD, THRISSUR.

2. BABU JOSE, S/O. EMMATTY JOSEPH,
EAST FORT, THRISSUR.

3. FINNY JOSE, S/O. EMMATTY JOSEPH,
EAST FORT, THRISSUR.

4. BINNY JOSE, S/O. EMMATTY JOSEPH,
EAST FORT, THRISSUR.

5. U.ABDUL NAZAR, S/O. URATHODIYIL U.
ALIKUTTY, THRITHALA AMSOM, DESOM,
OTTAPALAM.

6. ABDULLA, S/O. URATHODIYIL U. ALIKUTTY,
THRITHALA AMSOM, DESOM, OTTAPALAM.

7. LEENA, W/O. VELLAKKALIL JACOB,
CHENGANNUR VILLAGE, DESOM,
ALAPPUZHA DISTRICT.

R4 & R7 BY ADV. SRI.K.S.BABU
SMT.N.SUDHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.14916/06

APPENDIX

PETITIONER'S EXTS:

EXT.P1 – TRUE COPY OF PLAINT IN O.S.162/87 OF SUB COURT, THRISSUR.

EXT.P2 – TRUE COPY OF JUDGMENT OF THIS COURT IN original petition . 8152/03

EXT.P3 – TRUE COPY OF APPLICATION FILED BY R7 DT.28.1.06 AS I.A.833/06

EXT.P4 – TRUE COPY OF OBJECTION FILED BY PETR. DT.2.2.06 TO EXT.P3 PETITION.

/TRUE COPY/

PIUS C. KURIAKOSE, J.

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W.P.(C)No.14916 OF 2006

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DATED THIS THE 11th JULY, 2007

J U D G M E N T

The first prayer in this Writ Petition is to direct the learned Subordinate Judge to pass early orders on I.A.No.833 of 2006. The registry now reports that I.A.No.833 of 2006 is already disposed of.

2. The second prayer seeks an early disposal of the suit itself. Mr.Jijo Paul, learned counsel for the petitioner submits that the trial of the suit O.S.No.502 of 1994 is presently under stay in F.A.O.No.174 of 2007. It is open to the petitioner to file an application before the trial court after the F.A.O. is disposed of by this Court, seeking early disposal of the suit. Considering the fact that the suit itself is some 13 years old, if such an application is received by the trial court, that court will favourably consider that application.

The Writ Petition is disposed of as above.

(PIUS C.KURIAKOSE, JUDGE)

tgl